

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
(Indianapolis Division)

RED BARN MOTORS, INC.,
PLATINUM MOTORS, INC., and
MATTINGLY AUTO SALES, INC.,
individually, and on behalf of other
members of the general public
similarly situated,

v.

NEXTGEAR CAPITAL, INC.,
F/K/A DEALER SERVICES
CORPORATION,

* DOCKET NO. 1:14-cv-01589-TWP-DLP
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* CLASS ACTION
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**ORDER GRANTING PLAINTIFFS' MOTION FOR DISCOVERY REGARDING
DEFENDANT'S COMMUNICATIONS WITH CLASS MEMBERS**

Plaintiffs Red Barn Motors, Inc., Platinum Motors, Inc., and Mattingly Auto Sales, Inc. have filed a Motion for Discovery Regarding Defendant's Communications with Class Members. The Court, being duly advised, now finds that said Motion should be and hereby is granted.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Motion for Discovery Regarding Defendant's Communications with Class Members is granted; it is further ORDERED, ADJUDGED AND DECREED that Plaintiffs shall be permitted to conduct limited, discrete written and/or deposition discovery regarding the communications with the 45 dealers identified by NextGear Capital, Inc. that executed new floorplan agreements after the March 8, 2019, issuance of the mandate of the Seventh Circuit in this matter.

DATE

HON. TANYA WALTON PRATT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

Distribution to: Counsel of Record